IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

OP.No. 3048 of 1999(K)

PETITIONER:

RAJAN K.M.,
S.L.R. WORKER,
NATIONAL HIGHWAY (PWD),
SECTION KANHAGAD,
KANHANGAD P.O., KASARAGOD DT.

BY ADV. SRI.P.RAVINDRAN

RESPONDENTS:
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1. **STATE OF KERALA,**
   REP. BY ITS SECRETARY,
   PUBLIC WORKS DEPARTMENT,
   GOVT. SECRETARIAT,
   THIRUVANANTHAPURAM.

2. **THE CHIEF ENGINEER,**
   IRRIGATION AND ADMINISTRATION,
   THIRUVANANTHAPURAM.

3. **THE EXE. ENGINEER,**
   IRRIGATION DIVISION,
   THRISSUR.

BY GOVERNMENT PLEADER SMT. SMITHA SUKUMARAN

THIS ORIGINAL PETITION HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

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ORDER ON CMP NO. 5224/1999 IN OP NO. 3048/1999 K.

DISMISSED

12/09/2007. SD/- THOTTATHIL B.RADHAKRISHNAN, JUDGE.

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE GO P NO. 6/90/PW&T DT. 20/1/90.

EXT.P2. COPY OF THE GO MS NO. 17/96/TRD DT. 1/3/96.

EXT.P3. COPY OF THE EXTRACT FROM THE SENIORITY LIST OF CLR WORKERS NO. O & M (2) 49461/88 DT. 20/1/97.

EXT.P4. COPY OF THE GO MS NO. 52/98/PWD DT. 29/6/98.

EXT.P5. COPY OF THE REPRESENTATION BY THE PETITIONER BEFORE THE R1 DT. 30/12/98.

RESPONDENT'S EXHIBITS **NIL.**

True copy

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THOTTATHIL B.RADHAKRISHNAN, J.

O.P.No.3048 OF 1999

Dated this the 12th day of September, 2007

JUDGMENT

Learned Government Pleader appears for the first respondent. Service complete.

Though notice has been issued to respondents 2 and 3 and service completed, there is no counter affidavit contesting the claim of the petitioner that he is entitled to be absorbed in the regular service. However, learned Government Pleader submits, on instructions, that the petitioner does not have the minimum requisite period of service for being regularised. Hence the writ petition is disposed of directing that Ext.P5 representation needs to be considered and a decision taken and communicated to the petitioner stating reasons, if any, for the stand why the petitioner's service cannot be regularised in spite of Ext.P3. Let the needful be done and an order issued by the second respondent within an outer limit of three months from the date

of receipt of a copy of this judgment, after affording the petitioner an opportunity of being heard.

Sd/-

THOTTATHIL B.RADHAKRISHNAN,
Judge

kkb.

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THOTTATHIL B. RADHAKRISHNAN, J

O.P.NO.3048 OF 1999

JUDGMENT

12th SEPTEMBER, 2007.

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